

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JOSEPH D. GILBERTI, JR. , P.E., an  
individual and licensed professional  
engineer

Plaintiff,

v.

Case No.: 2:19-cv-282-FtM-38MRM

RON DESANTIS, THE MOSAIC  
COMPANY, MOSAIC FERTILIZER,  
LLC, ENVIRONMENTAL  
PROTECTION AGENCY,  
SARASOTA COUNTY BOARD OF  
COUNTY COMMISSIONERS,  
DESOTO COUNTY BOARD OF  
COUNTY COMMISSIONERS,  
HILLSBOROUGH COUNTY STATE  
ATTORNEYS OFFICE, SARASOTA  
MEMORIAL HOSPITAL, PEACE  
RIVER MANASOTA WATER  
SUPPLY AUTHORITY,  
SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT, 72  
PARTNERS, LLC and LUIS E.  
RIVERA,

Defendants.

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**OPINION AND ORDER**<sup>1</sup>

Before the Court is Plaintiff Joseph D. Gilberti, Jr.'s Motion for Change of Venue and Rehearing to Vacate Order and Set Aside Judgment for Fraud on the Court ([Doc. 60](#)), which is nearly identical to an earlier motion ([Doc. 58](#)) that the Court denied ([Doc.](#)

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

59). The only addition is Gilberti's request for a change of venue under Federal Rule of Criminal Procedure 21(a), which does not apply to this case. The Motion is meritless.

Accordingly, it is now

**ORDERED:**

Plaintiff Joseph D. Gilberti, Jr.'s Motion for Change of Venue and Rehearing to Vacate Order and Set Aside Judgment for Fraud on the Court ([Doc. 60](#)) is **DENIED**.

**DONE** and **ORDERED** in Fort Myers, Florida this 16th day of July, 2020.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record